

Notice of Allowability	Application No.	Applicant(s)	
	09/540,469	CLARY, GREGORY J.	
	Examiner	Art Unit	
	Srilakshmi K. Kumar	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 13, 2006.
2. ☒ The allowed claim(s) is/are 1-71.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date March 30, 2006.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Spence on March 30, 2006.

The application has been amended as follows, where the additional limitations are shown with and underline.

Claim 22. A computer program product having a computer readable storage medium storing computer readable program code portions adapted to execute within a pen enabled computing device having a writing stylus and to identify the nature of a preprinted form to the pen enabled computing device, the form comprising a page having a writing surface defining a plurality of fields, the nature of the page comprising a function and a specific identity, said computer program product comprising:

a first executable portion for determining the disposition of the writing stylus adjacent to the writing surface such that the writing stylus is capable of interacting with the fields in order to actuate the pen enabled computing device;

a second executable portion for detecting, capturing, and storing data input into the fields with the writing stylus, the data being input according to the nature of the page; and

a third executable portion for identifying the nature of the page to the pen enabled computing device based upon data input into a plurality of the fields.

2. The following is an examiner's statement of reasons for allowance:

With respect to independent claim 1, the prior art of record fails to disclose a system for identifying a preprinted form and interacting therewith, said system comprising; a pen enabled computing device, a preprinted form cooperable with the pen enabled computing device comprising a plurality of fields defined by the writing surface; and a computer program product executing within the pen enabled computing device, wherein the computer program product identifies the nature of the page to the pen enabled computing device based upon the data input into a plurality of the field.

With respect to independent claim 22, the prior art of record fails to disclose a computer program product having a computer readable storage medium storing computer readable program code portions adapted to execute within a pen enabled computing device comprising a preprinted form , where the form comprises a page having a plurality of fields, wherein the computer program product comprises a third executable portion for identifying the nature of the page to the pen enabled computing device based upon data input into a plurality of the fields.

With respect to independent claim 43, the prior art of record fails to disclose a pen enabled computing device, using a preprinted form having a plurality of fields, comprising a sensing device adapted to engage the preprinted form and cooperating with the writing stylus such that the pen enabled computing device is actuated when the writing stylus is disposed adjacent to the writing surface in interactable relation with the fields and is thereby enabled to

Art Unit: 2629

determine the nature of the page as data is input into the fields with the writing stylus according to the user-identified nature of the page.

With respect to dependent claims 2-22, 24-42 and 44-71, these claims are allowable as they depend on allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figs. 7A and 7B are not legible. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 9:00 am to 5:30 pm.

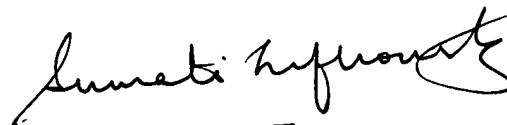
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2629

SKK
March 30, 2005



SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER